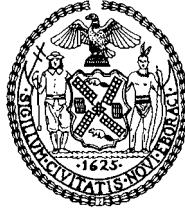


MEMO ENDORSED



USDC SDNY
MICHAEL A. CARROZZO
Corporation Counsel
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/28/2007

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

EAMONN F. FOLEY
General Litigation, Room 2-197
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efoley@law.nyc.gov

September 26, 2007

BY HAND

Hon. Richard M. Berman
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 650
New York, New York 10007

Re: M.D. and T.D., on behalf of C.D., v. N.Y. City Dep't of Ed.
07 Civ. 7967 (RMB)

Dear Judge Berman:

This office represents the New York City Department of Education in the above-referenced matter, in which plaintiffs seek reimbursement for tuition and transportation costs paid for their son's attendance at a private school for the 2006-2007 school year and the summer of 2007, and for supplemental applied behavioral analysis services provided during the same period. I write to respectfully request that the defendant's time to respond to the Complaint be extended from October 2, 2007 to November 2, 2007, and that the initial pre-trial conference currently scheduled for October 18, 2007 be adjourned to a date thereafter that is convenient for the Court. This is the first request for an extension of time in this matter, and plaintiffs' counsel has kindly consented to this request. The additional time is necessary to allow this office to fully investigate plaintiffs' allegations, research the applicable law, and prepare an appropriate response.

~~Thank you for your consideration of this request.~~

Extension Granted.

**Conference adjourned
to 11/5/07 @ 9:15.**

Respectfully submitted,

Eamonn F. Foley
Eamonn F. Foley
Assistant Corporation Counsel

cc: Gary S. Mayerson, Esq.
30 ORDERED: **Richard M. Berman**
Richard M. Rothberg, Esq.
Date: (a facsimile) **9/28/07**
Richard M. Berman, U.S.D.J.

